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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,115	10/21/2003	Paul Andrys	SK00002C1 (00CXT0656C1)	5326
7590 06/29/2004			EXAMINER	
Francisco A. Rubio-Campos Suite B-104 26895 Aliso Creek Road Aliso Viejo, CA 92656-5301			NGUYEN, KHANH V	
			ART UNIT	PAPER NUMBER
			2817	

DATE MAILED: 06/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

the

Office Action Summary	Application No.	Applicant(s)	
	10/691,115	ANDRYS ET AL.	
	Examiner	Art Unit	
	Khanh V. Nguyen	2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-18 and 20-27 is/are rejected.
- 7) ☒ Claim(s) 9 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 24 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

"predetermined ration" is unclear and indefinite. Does applicant mean "predetermined ratio"?

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 8, 10, 11-15, 18, 20-23, 25, 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Wong.

Regarding claims 1, 11, Wong (Figs. 3 or 4) discloses a biasing circuit comprising: a resistor (24); a bias voltage input terminal (VB) connected to resistor (24) having the inherent function.

Regarding claims 2, 12, either diode (26) of Figure 3 or diode connected transistor (26a) of Figure 4 is capable of performing the function of clamp circuit.

Regarding claims 3, 13, the bias current of the reference circuit is in a linear relationship with the bias voltage (V_B).

Regarding claims 4, 14, plurality of components (18, 30a, 22 ...) are inherently seen connected to resistor (24).

Regarding claims 5, 15, and 25, wherein either FET transistor (30a) or bipolar transistors (32a and 32b) read as first or second materials, and transistor is inherently seen having substrate.

Regarding claims 8, 18, Wong discloses a single stage amplifier circuit.

Regarding claims 10, 20, 27, wherein transistors (30a and 32b) and resistor (22) read as a feedback circuit.

Regarding claims 22 and 23, the methods recited are inherent to the operation of reference circuit since the diode/diode connected transistor (26 or 26a) can be clamped to a value that is above the predetermined threshold.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 7, 16, 17, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong.

Regarding claims 6, 7, 16, 17, 26, Wong discloses the claimed invention except the type of transistor used. It would have been obvious matter of design choice to replace the transistors of reference circuit with CMOS or Gallium Arsenide Semiconductor, since applicant has not disclosed that CMOS or Gallium Arsenide Semiconductor solves any particular problem or is for any particular purpose and in light of any criticality or unexpected result it appears that the invention would perform equally well with CMOS or Gallium Arsenide Semiconductor.

Allowable Subject Matter

Claims 9 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following U.S. Patents contain teaching of a biasing circuit:

Sano U.S. Patent 4,340,867

Fackler U.S. Patent 4,387,346

Bailey et al. U.S. Patent 5,654,672

Art Unit: 2817

Brayton et al.

U.S. Patent 6,046,642

Jarvinen

U.S. Patent 6,052,032

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh V. Nguyen whose telephone number is (571) 272-1767. The examiner can normally be reached from 8:00 AM - 3:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571) 272-1769. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service at (703) 872-9317.

NGV

06/25/04



Nguyen, Khanh Van

Group 2800, Art Unit 2817